

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE TELESCOPES ANTITRUST
LITIGATION

**ORDER RE OCTOBER 28, 2022
DISCOVERY DISPUTE RE MACHINE
TRANSLATION**

Case No. 20-cv-03639-EJD (VKD)
Re: Dkt. No. 289

Case No. 20-cv-03642-EJD (VKD)
Re: Dkt. No. 269

Direct Purchaser Plaintiffs (“DPPs”) and Indirect Purchaser Plaintiffs (“IPPs”) (collectively “Plaintiffs”) and Defendants ask the Court to resolve their dispute concerning arrangements for Plaintiffs’ review of inadvertently produced documents that Defendants contend contain sensitive, but non-responsive information. The Court finds this dispute suitable for resolution without oral argument. Civil. L.R. 7-1(b).¹

DPPs’ and Defendants’ earlier dispute regarding Defendants’ inadvertent production of documents and the Court’s resolution of it are described in the Court’s August 22, 2022 order in Case No. 20-3642 (Dkt. No. 255). With respect to the documents encompassed by paragraph 3 at page 7 of the August 22 order, Defendants have agreed to allow Plaintiffs to review for relevance and responsiveness documents categorized as “financial” and “family,” even though Defendants say the logs they have produced are sufficient for this determination. Dkt. No. 289 at 3, 6-7. However, Defendants object to Plaintiffs’ copying any portion of these documents during their review. *Id.* Plaintiffs argue that they should be permitted to copy any Mandarin-language

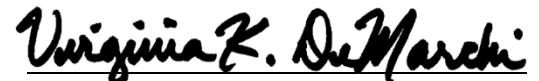
¹ For convenience, all citations are to Case No. 20-3639 unless otherwise noted.

documents or text into machine-translation software, such as Google Translate, so that they can more easily assess whether a document is relevant and responsive. *Id.* at 4.

In resolving the earlier dispute, the Court did not order Defendants to make this collection of documents available to Plaintiffs for review; Defendants agreed to do so voluntarily, albeit with constraints on the protocol for such review. The Court will not now require Defendants to do more than the Court has already ordered or that they have already offered to do in making these documents available for Plaintiffs' review. The Court denies Plaintiffs' request for an order compelling Defendants to provide the documents in question in a manner that permits Plaintiffs to copy text from the documents for purposes of machine translation.

IT IS SO ORDERED.

Dated: November 14, 2022


VIRGINIA K. DEMARCHI
United States Magistrate Judge